

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND

In re:  
Jose Olivo,  
Debtor

Case No. 10-12653-ANV  
Chapter 7

**Order Granting The Bank of New York Mellon f/k/a The Bank of New York, on behalf of  
CIT Mortgage Loan Trust 2007-1 Relief  
From Stay And Leave To Foreclose Mortgage**

This matter has come before the Court, and by agreement of the parties, it is hereby ordered that the Secured Party's, The Bank of New York Mellon f/k/a The Bank of New York, on behalf of CIT Mortgage Loan Trust 2007-1, its Successors and/or Assigns, Motion for Relief From Stay is hereby granted **effective October 1, 2010** and the stay imposed by 11 U.S.C. §362 is hereby terminated with a waiver of the 14 day stay provided by Bankruptcy Rule 4001(a)(3)and it may proceed to foreclose or accept a deed in lieu of foreclosure of the mortgage given by Juan Olivo and Jose Olivo to Mortgage Electronic Registration Systems, Inc. , dated August 24, 2005, recorded with the Providence Land Records at Book 7519, Page 53, which covers the premises located at 95 Peace Street, Providence, RI 02907, and may exercise its rights under said Mortgage, preserving and may bring such actions, including, without limitation, eviction proceedings, as are permissible by law, all as set forth in its Motion. The Movant may assess the Debtor's account \$430.00 in legal fees and costs for the filing of its Motion.

The granting of this motion does not preclude the debtor or co-debtor from seeking any state court remedies and will have no collateral estoppels or any preclusive effect therein as to any issues of standing or any other issues, which may be raised in State Court or Federal Court, if any State Court action is removed to Federal Court.



Entered on Docket: 9/27/2010

Honorable Arthur N. Votolato  
United States Bankruptcy Judge  
Date: 9/27/10